vss

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.5101 OF 2005

Govind Babu Pimple ... Petitioner

V/s.

M/s.Vinayaka Synthetics Ltd. & Ors. ... Respondents

Mr.A.G. Toraskar for Petitioner
Mr.K.S. Bapat with J.K. Desai for Respondents

CORAM: **SMT.NISHITA MHATRE, J.**

DATED: **OCTOBER 6, 2005**

P.C.:

. The Petitioner filed a complaint contending that his services had been terminated. This complaint was filed in February 2002. The respondents contended in their reply that they have not terminated the services of the workman but had suspended him from 3.12.2001. The order of termination was issued only on 9.3.2002. After issuing this order, the respondents filed an application before the Labour Court praying for dismissal of the complaint since it had become infructuous on account of the termination of services of the Petitioner from 9.3.2002. The Labour Court instead of doing that passed an order directing payment of subsistence allowance till the disposal of the complaint. Aggrieved by this order, the respondents

challenged the same by filing a revision application in the Industrial Court. The Industrial Court has rightly quashed and set aside the order of the Labour Court on 30.3.2002.

2. In view of the fact that the services of the Petitioner have already been terminated on 9.3.2002, nothing really survives in the complaint No.26 of 2002. However, Mr.Bapat, appearing for the Respondents, states that full wages would be paid to the workman from 3.12.2001 till the order of termination on 9.3.2002, if not already paid to him. This amount will be paid to the workman within two weeks from today.

3. Writ Petition is disposed off accordingly.